



February 21, 2023

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By ECF

The Honorable Frederic Block
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: ***Bagley, et al. v. N.Y. State Dep't of Health, et al., Case No. 15-cv-4845 (FB) (CLP)***

Dear Judge Block:

We represent Plaintiffs Michelle Bagley, Gary Milline, Hamilton Smith, Marcella Urban, and Sharan Harper ("Plaintiffs") in the above-referenced case. This letter is submitted jointly by the parties pursuant to Your Honor's February 2, 2023 Order, to provide a further status update "as to the terms of the class settlement and plaintiffs' counsel fee request."

The parties are pleased to report that their collaboration on the settlement agreement and ancillary documents (together, the "Stipulation") has been beneficial to resolve their disputes and avoid requiring the resources of the Court. The parties continue to finalize the ministerial details related to the Stipulation, including: 1) finalizing the appropriate language for the Stipulation; 2) coordinating synergy among the various documents within the Stipulation; and 3) obtaining the required approvals from the State and from Plaintiffs.

Additionally, we continue to work with the family of deceased Named Plaintiff Michelle Bagley to create her estate. We are awaiting the final documents and signatures from Ms. Bagley's family members to submit the application to the Surrogate's Court. We will advise the Court upon the submission of the completed application.

Given the parties' continued productivity and cooperation, with nearly all necessary agreements and approvals, and with only final ministerial issues to resolve, the parties respectfully request that the Court order the parties to report back to the Court on the status of settlement by March 21, 2023.

Respectfully submitted,
/s/ George Soussou

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